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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/692,746	10/18/2000	Keith David Bussell	40624/RRT/S850	7076
23363	7590	04/30/2004	EXAMINER	
CHRISTIE, PARKER & HALE, LLP 350 WEST COLORADO BOULEVARD SUITE 500 PASADENA, CA 91105			BACKER, FIRMIN	
			ART UNIT	PAPER NUMBER
			3621	

DATE MAILED: 04/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/692,746

Applicant(s)

BUSSELL, KEITH DAVID

Examiner

Firmin Backer

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Priority Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 April 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 and 19-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 and 19-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on April 4th, 2004 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1-15 and 19-51 have been considered but are moot in view of the new ground(s) of rejection.

Specification

3. The amendment filed April 4th, 2004 is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: "nondedicated cryptographic device".

Applicant is required to cancel the new matter in the reply to this Office Action.

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Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 1 and 29 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicant disclose “nondedicated cryptographic device” that is not describe in the specification. Applicant is advised to point out where in the specification such disclosure is describe.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-15 and 19-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allport et al (U.S. PG Pub No. 2001/0037320) in view of Heiden (U.S. Patent No. 6,408,286).

8. As per claim 1, Allport et al teach an on-line system for printing a value-bearing item (VBI) (*postal indicia on an envelope, 20*) comprising a plurality of user terminals coupled to a computer network, and a plurality nondedicated cryptographic devices remote plurality of terminals coupled computer network, wherein cryptographic devices include computer executable code verifying that advertisement graphics authorized be printed next to the VBI (*see paragraphs 0004, 0006, 0007, 0009, 0010, 0020, 0022, 0025, 0026, 0033, 0038*) and wherein any one plurality cryptographic devices used verifying advertising graphics any one or more of the plurality of user terminals cryptographic device remote from the plurality of user terminals (*see paragraphs 0010, 0022, 0025, 0026, 0033, 0038*). Allport et al fails to teach a digitally signed advertisement graphics to be printed next to the VBI. However, Heiden teach a digitally signed advertisement graphics to be printed next to the VBI (*see abstract, figs 2, 3, column 5 lines 35-51*). Therefore, it would have been obvious to one of skill in the art at the time the invention was made to modify Allport et al's inventive concept to include Heiden's a digitally signed advertisement graphics to be printed next to the VBI because this would have allowed advertisers to take advantage of the space on the outgoing envelopes for a particular postage meter user to advertise products and/or services thereby providing an effective manner for advertisers to reach their target audience and providing economic incentive for third parties advertisers postage meter users to participate.

9. As per claim 2, Allport et al teach a system wherein the cryptographic device includes a computer executable code for verifying the advertisement graphics using a DSA algorithm, a public key, and a previously assigned digital signature (*see paragraphs 0025, 0033*).

10. As per claim 3, Allport et al teach a system wherein the computer executable code verifies if the digitally signed advertisement graphics has a correct digital signature file (*see paragraphs 0025, 0033*).

11. As per claims 4 and 5, Allport et al teach a system further comprising computer executable code for tracking a usage of the VBI including one or more of number of users signed up for the on-line system, number of users who have purchased at least a predetermined amount of VBI, number of users who have printed at least a predetermined amount of VBI, and number, of users who have maintained an account for a minimum number of predetermined period (*see paragraphs 0010, 0022, 0025, 0026, 0033, 0038*).

12. As per claim 6, Allport et al teach a system wherein the cryptographic module includes a computer executable code for preventing unauthorized modification of data (*see paragraphs 0004, 0006, 0007, 0009, 0010, 0020, 0022, 0025, 0026, 0033, 0038*).

13. As per claim 7, Allport et al teach a system wherein the cryptographic module includes a computer executable code for ensuring the proper operation of cryptographic security and VBI related meter functions (*see paragraphs 0010, 0022, 0025, 0026, 0033, 0038*).

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14. As per claim 8, Allport et al teach a system wherein the cryptographic module includes a computer executable code for supporting multiple concurrent users (*see paragraphs 0010, 0022, 0025, 0026, 0033, 0038*).

15. As per claim 9, Allport et al teach a system further comprising a database remote from the plurality of user terminals including information about the users (*see paragraphs 0004, 0006, 0007, 0009, 0010, 0020, 0022, 0025, 0026, 0033, 0038*).

16. As per claim 10, Allport et al teach a system further comprising a plurality of security device transaction data stored in the database for ensuring authenticity of the one or more users, wherein each security device transaction data can be processed in the server system in a stateless manner (*see paragraphs 0025, 0033*).

17. As per claim 11, Allport et al teach a system wherein each security device transaction data is related to a user (*see paragraphs 0010, 0022, 0025, 0026, 0033, 0038*).

18. As per claim 12, Allport et al teach a system wherein the security device transaction data related to a user is loaded into the cryptographic module wiper the user requests the operate on a value bearing item (*see paragraphs 0004, 0006, 0007, 0009, 0010, 0020, 0022, 0025, 0026, 0033, 0038*).

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19. As per claim 13, Allport et al teach a system wherein the security device transaction data related to a user is updated and returned to the database (*see paragraphs 0025, 0033*).

20. As per claim 14, Allport et al teach a system wherein the cryptographic module performs cryptographic function on a transaction related to the database (*see paragraphs 0010, 0022, 0025, 0026, 0033, 0038*).

21. As per claim 15, Allport et al teach a system further comprising computer executable code for password authentication to prevent unauthorized access to the database (*see paragraphs 0004, 0006, 0007, 0009, 0010, 0020, 0022, 0025, 0026, 0033, 0038*).

22. As per claim 19, Allport et al teach a system wherein the database includes one or more indicium data elements, data for account maintenance, and data for revenue protection (*see paragraphs 0010, 0022, 0025, 0026, 0033, 0038*).

23. As per claims 20 and 21, Allport et al teach a system wherein the database includes virtual meter information, descending register data (*see paragraphs 0022, 0038*).

24. As per claims 22-28, Allport et al teach a system wherein a bar code is printed on the value bearing item that is a mail piece with a digital signature, is a ticket, is a coupon, is currency, is a voucher (*see paragraphs 0025, 0033*),

25. As per claim 29, Allport et al teach a method for printing an advertisement next to a value bearing item (VBI) via a communication network including a client system and a server system comprising interfacing with one or more users via the client system communicating with the client system over the communication network (*see paragraphs 0010, 0022, 0025, 0026, 0033, 0038*), verifying digitally signed advertisement graphics using any plurality nondedicated cryptographic modules wherein any of the plurality of cryptographic modules may be used for verifying the digitally signed advertisement graphics for any one or more of the users (*see paragraphs 0004, 0006, 0007, 0009, 0010, 0020, 0022, 0025, 0026, 0033, 0038*). Allport et al fails to teach a digitally signed advertisement graphics to be printed next to the VBI. However, Heiden teach a digitally signed advertisement graphics to be printed next to the VBI (*see abstract, figs 2, 3, column 5 lines 35-51*). Therefore, it would have been obvious to one of skill in the art at the time the invention was made to modify Allport et al's inventive concept to include Heiden's a digitally signed advertisement graphics to be printed next to the VBI because this would have allowed advertisers to take advantage of the space on the outgoing envelopes for a particular postage meter user to advertise products and/or services thereby providing an effective manner for advertisers to reach their target audience and providing economic incentive for third parties advertisers postage meter users to participate.

26. As per claim 30, Allport et al teach a method of verifying the advertisement graphics using a DSA algorithm, a public key, and a previously assigned digital signature (*see paragraphs 0025, 0033*).

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27. As per claim 31, Allport et al teach a method verifying if the digitally signed advertisement graphics has a correct digital signature file (*see paragraphs 0004, 0006, 0007, 0009, 0010, 0020, 0022, 0025, 0026, 0033, 0038*).

28. As per claim 32, 33, Allport et al teach a method further comprising tracking a usage of the VBI including one or more of number of users signed up for the on-line system, number of users who have purchased at least a predetermined amount of VBI, number of users who have printed at least a predetermined amount of VBI, and number, of users who have maintained an account for a minimum number of predetermined period (*see paragraphs 0010, 0022, 0025, 0026, 0033, 0038*).

29. As per claim 34, Allport et al teach a method further comprising preventing unauthorized modification of data (*see paragraphs 0025, 0033*).

30. As per claim 35, Allport et al teach a method further comprising ensuring the proper operation of cryptographic security and VBI related meter functions (*see paragraphs 0010, 0022, 0025, 0026, 0033, 0038*).

31. As per claim 36, Allport et al teach a method further comprising supporting multiple concurrent users (*see paragraphs 0025, 0033*).

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32. As per claim 37, Allport et al teach a method further comprising including information about the users in a database remote from the plurality of user terminals (*see paragraphs 0010, 0022, 0025, 0026, 0033, 0038*).

33. As per claim 38, Allport et al teach a method further comprising storing in the database a plurality of security device transaction data for ensuring authenticity of the one or more users, wherein each security device transaction data is processed in the server system in a stateless manner (*see paragraphs 0010, 0022, 0025, 0026, 0033, 0038*).

34. As per claim 39, Allport et al teach a method wherein each security device transaction data is related to a user (*see paragraphs 0025, 0033*).

35. As per claim 40, Allport et al teach a method further comprising loading the security device transaction data related to a user into the cryptographic module when the user requests to operate on a value bearing item (*see paragraphs 0010, 0022, 0025, 0026, 0033, 0038*).

36. As per claim 41, Allport et al teach a method further comprising preventing unauthorized modification of data using the cryptographic module (*see paragraphs 0010, 0022, 0025, 0026, 0033, 0038*).

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37. As per claim 42, Allport et al teach a method further comprising storing data for creating one or more indicium, account maintenance, and revenue protection (*see paragraphs 0010, 0022, 0025, 0026, 0033, 0038*).

38. As per claim 43-46, Allport et al teach a method further comprising printing a mail piece includes a digital signature, a postage amount, an ascending register of used postage and descending register of available postage (*see paragraphs 0025, 0033*).

39. As per claim 47-51, Allport et al teach a method further comprising printing a ticket, printing a bar code, printing a coupon, currency, a voucher (*see paragraphs 0004, 0006, 0007, 0009, 0010, 0020, 0022, 0025, 0026, 0033, 0038*).

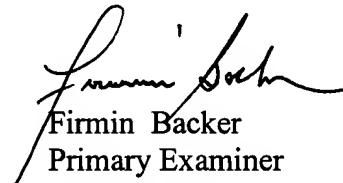
Conclusion

40. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (*see form 892*).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Firmin Backer whose telephone number is (703) 305-0624. The examiner can normally be reached on Mon-Thu 9:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (703) 305-9768. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Firmin Backer
Primary Examiner
Art Unit 3621

April 26, 2004